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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,197	07/31/2001		Rosanne M. Crooke	ISPH-0593	3965
36441	7590	09/01/2004		EXAM	INER
MARY E. I		waay annaya wa	MCGARRY, SEAN		
HOWSON A BOX 457	ND HOV	VSON, SPRING HO	ART UNIT	PAPER NUMBER	
SPRING HO	SPRING HOUSE, PA 19477				
				DATE MAILED: 09/01/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Communication Re: Appeal	09/919,197	CROOKE ET AL.
Communication No. 7 ppour	Examiner	Art Unit
	Sean R McGarry	1635
The MAILING DATE of this communication app	pears on the cover sheet with	n the correspondence address
1. The Notice of Appeal filed on is not ac	cceptable because:	
(a) it was not timely filed.		
(b) the statutory fee for filing the appeal wa	as not submitted. See 37 CFR	1.17(b).
(c) the appeal fee received on was	not timely filed.	
(d) the submitted fee of \$ is insufficient	ent. The appeal fee required b	y 37 CFR 1.17(b) is \$
(e) the appeal is not in compliance with 37 rejection in this application.	CFR 1.191 in that there is no	record of a second or a final
(f) a Notice of Allowability, PTO-37, was n	nailed by the Office on	
2. The appeal brief filed on is NOT acce	ptable for the reason(s) indica	ed below:
(a) the brief and/or brief fee is untimely. S	ee 37 CFR 1.192.	
(b) the statutory fee for filing the brief has i	not been submitted. See 37 C	FR 1.17(c).
(c) the submitted brief fee of \$ is ins	ufficient. The brief fee require	d by 37 CFR 1.17(c) is \$
The appeal in this application will be dismiss brief and requisite fee. Extensions of time man		
3. The appeal in this application is DISMISSED	because:	
 (a) the statutory fee for filing the brief as reperiod for obtaining an extension of time 		
(b) the brief was not timely filed and the pe CFR 1.136 has expired.	eriod for obtaining an extension	n of time to file the brief under 37
(c) Request for Continued Examination (R	CE) under 37 CFR 1.114 was	filed on
(d) dther:		
4. Because of the dismissal of the appeal, this a	application:	
(a) $oxed{\boxtimes}$ is abandoned because there are no allo	owed claims.	
(b) is before the examiner for final disposit on the merits remains CLOSED.	ion because it contains allowe	d claims. Prosecution
(c) is before the examiner for consideration to 37 CFR 1.114.	n of the submission and prose	cution has been reopened pursuant
		Sean R McGarry
		Primary Examiner Art Unit: 1635

U.S. Patent and Trademark Office PTOL-461 (Rev. 9-00)

Application No. Applicant(s) 09/919,197 CROOKE ET AL. Notice of Abandonment Examiner Art Unit Sean R McGarry 1635 -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--This application is abandoned in view of: 1. Applicant's failure to timely file a proper reply to the Office letter mailed on (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of ____ month(s)) which expired on ___ (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114). (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the nonfinal rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below). (d) No reply has been received. 2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) ☐ The submitted fee of \$____ is insufficient. A balance of \$ is due. The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____. (c) The issue fee and publication fee, if applicable, has not been received. 3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply. (b) No corrected drawings have been received. 4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application. 6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: see attahed "Comunication Re: Appeal." Confirmation of no response was made with Mary Bok on 8/24/04 Sean R McGarry **Primary Examiner** Art Unit: 1635

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

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